

1                                   **CITY OF NORTH BEND PLANNING COMMISSION MEETING MINUTES**

2                                   Thursday, June 13, 2013 at 7:00 PM

3                                   City Hall Conference Room,

4                                   211 Main Avenue North, North Bend, WA 98045

5    *Please Note: A complete audio recording of this meeting is available on the City of North Bend website,*  
6    [www.northbendwa.gov](http://www.northbendwa.gov), *under Commissions - Planning Commission - Meeting Audio.*

7  
8    **CALL TO ORDER**

9    The meeting was called to order at 7:02 PM.

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11   **ROLL CALL**

12   Planning Commissioners present: Bruce Bjorklund, Gary Fancher, Jim Luckey, Rob McFarland (Chair), and Piper  
13   Muio. Commissioners Lee and Elwood had notified staff that they were unable to attend tonight's meeting.  
14   City Staff present: Gina Estep, Director of Community & Economic Development.

15  
16   **AGENDA #2 MINUTES FROM MAY 23, 2013 MEETING**

17   Chair McFarland asked for a motion to approve the Minutes from the May 23, 2013 Planning Commission  
18   Meeting. Commissioner Luckey Motioned to Approve; Commissioner Elwood seconded the Motion. The  
19   Minutes were Approved, 5:0.

20  
21   **AGENDA ITEM #3 PUBLIC COMMENT ON NON AGENDA ITEMS**

22   Chair McFarland asked if any of the citizens in attendance wished to speak on any non-agenda item.

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24   Travis Bridgman, 713 Ogle Ave. North, North Bend, WA 98045, spoke and said that our community will really,  
25   truly benefit from a senior housing project that the seniors can live in a cottage style house, and our society and  
26   citizens, a lot of them, are ready to live in a senior housing project right away.

27  
28   **AGENDA ITEM #4: PUBLIC HEARING – Amendments to NBMC 18.10.030 and 18.10.025**  
29   **concerning tattoo parlors as a permitted use in certain zoning districts, and amendments to**  
30   **NBMC 18.10.050 concerning home occupation uses**

31   At 7:04 PM, Chair McFarland briefed the Planning Commission and guests on the procedures for tonight's Public  
32   Hearing.

33  
34   Chair McFarland asked if anyone present had any objection to any Planning Commissioner's participation hearing  
35   tonight's subject of tattoo parlors. No one raised any objection. Chair McFarland asked the Planning  
36   Commissioners if any of them had any personal or financial interest in the affected property or issues in the  
37   subject of tonight's hearing. None of the Commissioners raised any issue. Chair McFarland asked the  
38   Commissioners to place on the record if they have had any ex parte communications outside of this Hearing with  
39   any proponents or opponents of the subject of tonight's Public Hearing. Commissioner Muio said she was  
40   contacted by a city council member, and the member shared his perspective and view on what he thought we (the  
41   Planning Commission) should put forth. Gina Estep asked Commissioner Muio if she felt she could still make  
42   an unbiased decision. Commissioner Muio replied absolutely.

43  
44   Chair McFarland asked Ms. Estep about the staff report and any updates. Ms. Estep said that tonight's packet to  
45   the Commission is exactly the same as the previous meeting, as no edits were suggested by the Commission.

46  
47   Chair McFarland reviewed some of the written public comment that the Commission had received.

48  
49   At 7:11 PM, Chair McFarland opened the Public Hearing.

1 Calye Lacefield, JBM Press, 319 E. 3<sup>rd</sup> Street, North Bend. Ms. Lacefield said she and her husband had recently  
2 opened a home occupation business, and they are very familiar with the Third Street area neighborhood. Ms.  
3 Lacefield said she is totally in support of modifying the ordinance to allow a tattoo parlor in the neighborhood.  
4 We do not feel it would be detrimental to the neighborhood from noise, traffic, or parking. Ms. Lacefield said the  
5 ordinance outlawing tattoos in the downtown area is kind of outdated, that tattoos have become main stream.

6  
7 Chair McFarland asked the remaining citizens if they would like to speak about this agenda item.

8  
9 David Herman (*spelling of last name uncertain*), 230 Ballarat Ave. North, North Bend, WA 98045. Mr. Herman  
10 said he wanted to make sure that the rule (being) amended is to make tattoo parlors illegal. Chair McFarland  
11 answered that the staff report proposes to make a home occupation business illegal where the underlying zone is  
12 not an allowed use. Ms. Estep said that the staff report came from the interim ordinance that the city council  
13 adopted as part of this issue.

14  
15 Chair McFarland asked the remaining citizens if they would like to speak about this agenda item. No other  
16 citizen offered comment. Chair McFarland closed the Public Hearing at 7:15 PM.

17  
18 **AGENDA ITEM #5: Planning Commission deliberation and recommendation on amendments per**  
19 **Item 4 above**

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21 Chair McFarland discussed and reviewed with the Commissioners how best to proceed with their deliberations,  
22 and said he is open to thoughts and comments from the Commissioners on how they feel the deliberations should  
23 be made.

24  
25 There was discussion, including questions and answers, between the Commissioners and Ms. Estep concerning  
26 tattoo parlors and related zoning issues and questions.

27  
28 *NOTE: Time from beginning of meeting inserted when motion made.*

29  
30 **1:02:00 Motion:** Commissioner Luckey Motioned to amend NBMC 18.10.030 to allow as a permitted use tattoo  
31 and body piercing parlors in the NB, DC, IC, and IMU Zones; Commissioner Bjorklund seconded the Motion.  
32 The Motion is Approved, 5:0.

33  
34 **1:04:30 Motion:** Commissioner Bjorklund Motioned to amend NBMC 18.10.025 Special Districts to strike tattoo  
35 parlor from an allowable use in the EP Zones; Commissioner Luckey seconded the Motion. The Motion is  
36 Approved, 5:0.

37  
38 There was discussion, including questions and answers, between the Commissioners and Ms. Estep concerning  
39 the proposed changes to NBMC 18.10.050 Performance Standards, related to Home Occupation Businesses.

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41 **1:16:30 Motion:** Commissioner Muoio Motioned to amend NBMC 18.10.050.1.53.b by striking the section that  
42 reads “medical marijuana collective gardens or any other use involving legal sales or exchanges of marijuana, the  
43 provision of tattoos, or the provision of body piercings”; Commissioner Fancher seconded the Motion. The  
44 Motion is Approved, 5:0.

45  
46 **1:20:15 Motion:** Commissioner Luckey Motioned to amend NBMC 18.10.050.1.53.b by adding the word “or” in  
47 front of “or manufacturing that involves the conversion of raw materials” and to add a period at the end of this  
48 sentence; Commissioner Fancher seconded the Motion. The Motion is Approved, 5:0.

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50 Chair McFarland asked staff to spell out the acronym “SFDD’s” contained in NBMC 18.10.050.1.53.b in the  
51 revised and updated version of this section.

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53 **1:33:30 Motion:** Commissioner Bjorklund Motioned to amend NBMC 18.10.050.1.53.j to read “Signs for Home  
54 Occupations shall be in accordance with Table 18.20.060 residential uses section of the Sign Code.”;  
55 Commissioner Muoio seconded the Motion. The Motion is Approved, 5:0.

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2 **1:35:20 Motion:** Chair McFarland Motioned to amend NBMC 18.10.050.1.53.a by striking the following  
3 language from this section "...and a home occupation may only be undertaken in a residential dwelling unit in  
4 which the operator of the home occupation actually resides". The section would now read "A North Bend  
5 business license is required. A home occupation business license shall be issued under and subject to NBMC  
6 5.04, and shall further be subject to the following provisions:"; Commissioner Bjorklund seconded the Motion.  
7 The Motion is Approved, 5:0.

8  
9 **1:45:30 Motion:** Commissioner Fancher Motioned to amend NBMC 18.10.050.1.53.i by inserting the words "and  
10 industrial", and the sentence would now read "Within all commercial *and industrial* zones, no home occupation  
11 business license will be issued for a use that is otherwise prohibited in the underlying zone." Commissioner  
12 Muoio seconded the Motion. The Motion is Approved, 5:0.

13  
14 **1:47:00 Motion:** Commissioner Fancher Motioned to Approve NBMC 18.10.050.1.53 as Amended at tonight's  
15 meeting; Commissioner Muoio seconded the Motion. The Motion is Approved, 5:0.

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17 **2:06:50 Motion:** Commissioner Bjorklund Motioned to amend the Summary Findings contained in the May 16,  
18 2013 Staff Report and Planning Commission Findings, Conclusions and Recommendation by deleting Items two  
19 (2) through nine (9); Commissioner Fancher seconded the Motion. There was discussion, including questions and  
20 answers, between the Commissioners and Ms. Estep concerning this motion. The Motion is Approved, 5:0.

21  
22 There was discussion, including questions and answers, between the Commissioners and Ms. Estep concerning  
23 findings of fact, and the prevalence of tattoos among the population.

24  
25 **2:06:50 Motion:** Commissioner Luckey Motioned to amend the Summary Findings contained in the May 16,  
26 2013 Staff Report and Planning Commission Findings, Conclusions and Recommendation by adding the  
27 following language: "The Planning Commission has reviewed and modified the table of permitted uses. The  
28 recommendation from the (Planning) Commission beyond this input seems unwarranted." Commissioner Muoio  
29 seconded the Motion. There was discussion, including questions and answers, between the Commissioners and  
30 Ms. Estep concerning this motion, as well as discussion of demographic data stated by Commissioner Fancher.  
31 Chair McFarland offered a friendly amendment to Commissioner Luckey's Motion to place this finding of fact at  
32 the end of the Summary Findings. Commissioner Luckey accepted Chair McFarland's friendly amendment. The  
33 Motion was Approved, 5-0.

34  
35 **2:12:00 Motion (Withdrawn):** Commissioner Fancher Motioned add to the finding: "that since 2009 no known  
36 cases of HIV has been contracted as a result of tattoos." Commissioner Muoio seconded the Motion. There was  
37 discussion, including questions and answers, between the Commissioners and Ms. Estep concerning this motion.  
38 After discussion, Commissioner Fancher withdrew his Motion.

39  
40 **2:18:30 Motion:** Commissioner Fancher Motioned to amend the Summary Findings contained in the May 16,  
41 2013 Staff Report and Planning Commission Findings, Conclusions and Recommendation by adding the  
42 following finding: "The Planning Commission finds the median age of North Bend being 38 means that over one  
43 third of our population has tattoos and they consider them a form of self-expression whether it is for who they are,  
44 their interests, or for a loved one." Commissioner Muoio seconded the Motion. Commissioner Luckey offered a  
45 friendly amendment to change the word "means" to "suggests". Commissioner Fancher accepted Commissioner  
46 Luckey's friendly amendment. There was discussion, including questions and answers, between the  
47 Commissioners and Ms. Estep concerning this motion. Commissioner Luckey said he had a problem with the  
48 statement if it is not referenced where the information came from. Commissioner Fancher re-stated his Motion as  
49 "The Planning Commission finds that the median age of North Bend being 38 from the 2010 Census Data  
50 suggests from the Portrait of Generation Next from the Pew Research Center that over one third of our population  
51 has tattoos and that they consider them a form of self-expression whether it is for who they are, their interests, or  
52 for a loved one." Commissioner Muoio seconded the revised Motion. The Motion was Approved, 5-0.

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54 **2:24:00 Motion:** Commissioner Muoio Motioned to Approve amendments to NBMC 18.10.030, NBMC  
55 18.10.025, and NBMC 18.10.050 as amended at tonight's Planning Commission Meeting, including the revised

1 Summary Findings contained in the May 16, 2013 Staff Report and Planning Commission Findings, Conclusions  
2 and Recommendation, and forward to the City Council; Commissioner Bjorklund seconded the Motion. The  
3 Motion was Approved, 5-0.

4  
5 Commissioner Fancher said that he will supply to Staff his research and also the web links to the data he quoted.

6  
7 Chair McFarland reminded the Commissioners that they had received an invitation from the city to attend a civic  
8 center kick off on June 24, 2013.

9  
10 Chair McFarland also said he wanted to remind Staff that the Planning Commission had previously requested an  
11 update from the Public Works Director on water and sewer availability, and have not heard anything back on that.

12  
13 Commissioner Muoio said that she plans on attending the next council meeting where these issues will be  
14 discussed and encourages other Planning Commissioners to attend.

15  
16 **ADJOURNMENT:**

17 Commissioner Muoio motioned to adjourn the meeting; Commissioner Bjorklund seconded the motion. The  
18 meeting adjourned at 9:30 PM.

19  
20 **NEXT PLANNING COMMISSION MEETING:**

21 The next Planning Commission meeting will be held June 27, 2013 at the City Hall Conference Room.

22  
23 ATTEST:

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27 Rob McFarland, Chair

\_\_\_\_\_   
Gina Estep, City of North Bend